

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 13 2021

Clerk, U.S. District & Bankruptcy
Court for the District of Columbia

R. CRAIG KITCHEN,)
)
Plaintiff,)
)
v.) Civil Action No. 21-2678 (UNA)
)
ATTORNEY GENERAL)
OF THE UNITED STATES, *et al.*,)
)
Defendants.)

MEMORANDUM OPINION

This matter is before the Court on its initial review of the plaintiff’s *pro se* complaint and application for leave to proceed *in forma pauperis*. Under the statute governing *in forma pauperis* proceedings, the Court is required to dismiss a case “at any time” it determines that the action is frivolous, malicious, or fails to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2).

The plaintiff brings this action “for immediate and emergency injunctive relief against the Attorney General of the United States, the Deputy Attorney General of the United States, the Acting Solicitor General of the United States, the Principal Deputy Solicitor General of the United States, the Directors of the CIA and FBI, and an unknown number of federal law enforcement agents working under these officers and at their direction.” Compl. at 1. Generally, he alleges that defendants have subjected him to constant surveillance, tortured him using sound technology, prevented him from seeking treatment for mental health conditions, and otherwise have ruined his life. *See id.* at 2-4. Plaintiff demands an award of \$1,000,000,000,000, and an order enjoining defendants from “unconstitutionally seizing and swapping out [his] medication,” subjecting him to “sonic torture,” and “changing [his] electronic files.” *Id.* at 5.

Upon careful review of the complaint, the Court concludes that its factual allegations are irrational or wholly incredible, rendering this case subject to dismissal as frivolous. *See Denton v. Hernandez*, 504 U.S. 25, 33 (1992) (“[A] finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible[.]”); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (“[A] complaint, containing as it does both factual allegations and legal conclusions, is frivolous where it lacks an arguable basis either in law or in fact.”); *Crisafi v. Holland*, 655 F.2d 1305, 1307–08 (D.C. Cir. 1981) (“A court may dismiss as frivolous complaints . . . postulating events and circumstances of a wholly fanciful kind.”).

The Court will grant plaintiff’s application to proceed *in forma pauperis* and will dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). His motion for a preliminary injunction will be denied as moot. An Order consistent with this Memorandum Opinion is issued separately.

/s/
JAMES E. BOASBERG
United States District Judge

DATE: October 13, 2021